

SECOND COMMENT IN SUPPORT

Comments filed in response to NAB petition RM-11338

Larry Langford is licensee of WGTO AM, Cassopolis Mi.

Although I filed comments earlier, I would like to add a new statement.

In reading all of the comments recorded so far, it is clear that those in favor are in the great majority.

While we all seem to agree that FM translators should be used for fill in service for AM stations, I fear we will be in trouble on how this is to be done. Many of those filing comments are in very rural areas where only one or two AM stations serve an entire county. Others are located near metro areas where FM stations now licensed to the same community as the AM stand alone, do little or nothing to serve the local community except mention it in the legal ID. With so many different circumstances out there, we may have serious issues on how this can all be implemented fairly.

First I think it should be understood that not every AM station needs an FM translator.

50 kw Non Directional "Clears" do not need them. Most Class B stations do not need them.

Certain classes do have a serious need:

Any Daytime only, any Daytimer with unprotected night power (i.e. PSSA)

Any Class D with same day night power on the sorry six (local) frequencies.

Some comments have mentioned a point of bidding credit for certain stations in an auction situation. This is madness. If AM stations were to bid on FM translators in an auction mode as New CP's are bid on now, we might as well forget the process. Only group owned AM stations would get these translators and the very stations who have been begging the most, the stand alone Daytimers and stand alone limited power night stations would get nothing.

We must remember that the stations that are still operating on the AM dial as the only source for local news, sports and true community broadcasting are the most financially challenged commercial stations. Many are true stand alones.

Some have the chance to improve night service with directional arrays, but have not the resources to afford to build such systems. In short, the stations needing the translators the most are the poorest.

Any rulemaking put forth by the FCC must address this issue. The large group owners will find loopholes if the law is not thought out with much care. We do not need to see WGN (50kw Chicago) which has no co owned FM, seeking to get a translator to cover an area 25 miles around their AM transmitter sites. Such assignment would pretty much cover Chicago and lock out smaller Daytime AM suburban stations from application. That would be foolish but it might be permissible under the NAB proposal.

The rules must be designed to protect true single local service. If not done properly some bad things could happen. For instance, let us say a regional daytimer is located not too far from a good sized city. The 2mv/m DAY contour gets close but not quite in the big city. This station truly serves the small community it is licensed to. The contours are fine for the station, since it really only serves its actual town of license.

Under the NAB proposal, this station could get and operate an FM translator within its 2mv/m day contour which happens to get close to the “big city” A large group owner would come in and snatch the station up offering the ma pa operator a deal they could not refuse and then use the station to add yet another signal to their stable of outlets in the “big city.”

We could see a new era of rim shot FM's being tied with their AM "parents" to serve a metro area. This would be done by buying up all the suburban AM stations and linking them together as a simulcast system. The result would be a total loss of local service to the original community(s) of license.

I think one way to minimize such a situation would be to add distance to major metros as part of the assignment formula.

While I am a competent engineer, I do not claim to have the perfect assignment answer for this proposed new use of translators, but I offer the facts above as food for thought.

One idea that deserves some debate is having the FCC *assign* translator frequencies to AM Daytimers with very strict criteria in a manner similar to the enactment of PSA and PSSA back in the 80's. For those who do not recall, the FCC sent notices to every Daytime station that qualified for low Post Sunset Power Authority that such authority would be granted to them, *unless they objected*. The FCC then set the power limits for each station that accepted the authority.

I am sure there are a good number of Daytime AM stations (including my station, WGTO) located in non metro areas where they are the only station licensed to the city and have no FM broadcast interests. For these stations, the FCC could apply a formula that could assign the proper frequency and power level for a translator based on mounting the translator on the stations current AM tower(s).

The station would have a time frame to accept or reject the offer from the FCC. Construction time could be limited to 12 months since all that would be needed is installation of the transmitter, the coax and the antenna itself. The station could also opt (in a set time frame) to modify the assignment by the FCC for a different transmitter location still within the proper service area. The station would be responsible for submitting a substitute application to the FCC.

After the automatic assignments are made to the stations that are both away from metros and true stand alone Daytimers, the process could be repeated or modified for the Class D stand alones.

At some point the rules of competition would have to come to play as you get into areas that have several AM stations. But you must ask yourself how many areas of the country actually have several Daytimers in the same rural market? As you get into larger and larger population areas, the NAB proposal might have to be modified to use the 5mv/m contour or a range of 15 miles from the tower site. This would still provide very good coverage of the market by a translator.

Since the AM tower locations are already in the FCC data base, along with ownership information, it seems a global program could be run to assign possible FM translator channels to all existing Daytimers (or at least stand alones) with a minimum of interference to existing FM stations. This would be true since all the assignments would be done at one time with the software assigning frequencies on a “minimum interference” basis nationwide.

These assignments should be made without more than a nominal administrative charge from the FCC. Any station not qualified as a Daytimer would have to search for and apply for the translator as any FM station would do now. These applications would come after the “auto assignment” translator window set by the FCC for acceptance and construction by AM Daytimers. Of course a translator freeze would need to be in place to allow the program to select assignments without worry about new applications while the “auto window” is in use.

If the FCC finds that translator frequencies are in very short supply, some thought should be given to have a “sunset” provision on those translators which are now in service but are operated by stations far removed from the market as unofficial nationwide religious networks. Most enlightened broadcasters realize that the invasion of religious translators of some years ago was an abuse of an FCC loophole. If getting true local service for long standing Daytime AM stations means shutting some of these translators off then the option should be there.

What I have offered I trust will be considered along with the many other comments filed in this matter. I think I echo the feelings of many Daytimer owners nationwide who feel as excited about the possibility of an FM translator as they felt when the first got on the air on AM. The mere fact that the NAB is behind this new push has many a heartbeat racing. Let us see where it goes.

Larry Langford Owner

WGTO AM Cassopolis Michigan (910 Khz, 1 Kw day .035 Kw night
DA2

LarryLangford@aol.com